

THE TOWN OF FOREST HEIGHTS  
RESOLUTION 25-20

**A RESOLUTION CONSENTING TO THE PURCHASE OF A CARGO TRAILER  
FROM JIMMY COX SALES, INC. OF UPPER MARLBORO, MARYLAND FOR USE  
IN SUPPORT OF MUNICIPAL EMERGENCY OPERATIONS**

Introduced By: Mayor Habeeb-Ullah Muhammad

**WHEREAS**, the Forest Heights Police Department has requested the purchase of a cargo trailer manufactured by Homesteader Trailer and sold by Jimmy Cox Sales, Inc., t/a Cox Trailer Sales, a Maryland corporation with a principal place of business at 9409 Old Marlboro Pike, Upper Marlboro, Md. 20772; and

**WHEREAS**, this trailer will be used to hold emergency equipment such as generators, printers, tables, and chairs, etc., in case the Town needs to activate the COOP Plan and/or should the Town's emergency personnel or police need to go and be supported at an alternate location; and

**WHEREAS**, this trailer is described as a new, Homesteader, 5' x 10,' black in color, single axle, enclosed cargo trailer with side and ramp doors (Model #: 510PS) having a load capacity of 1,910 lbs. and a maximum operating weight or gross vehicle weight rating (GVWR) of 2,990 lbs.; and

**WHEREAS**, pursuant to Section 20.4(a)(5)(II), (Emergency purchases), all emergency purchases and contracts made under said subsection less than \$10,000 in consideration are thereby preapproved by the Council, and the Mayor without prior specific consent or further approval of the Council, but with the written consent of at least two other Council members, may enter into contracts or make purchases not exceeding \$10,000 in value for emergency purposes in order to protect the residents from imminent threat of harm or injury, to protect the health, safety and welfare of the general public from imminent harm, or to prevent the imminent permanent, and substantial loss or damage to Town property; and

**WHEREAS**, pursuant to Section 20.4(a)(5)(III), when making emergency purchases under said subsection, the Mayor may exempt said purchase of a good or service from the competitive selection processes but shall provide a report at the next meeting of the Council as to the reasonableness under the circumstances of the sole-source procurement utilized by the Mayor and staff; and

**WHEREAS**, notwithstanding the emergency procurement provisions found in Section 20.4 of the Town Code, which can be invoked with or without a declared local emergency, upon the proclamation by the Mayor of a civil emergency and during the existence of such civil emergency, the Mayor shall have the power by order to enter into contracts and incur obligations necessary to combat such disaster, protect the health and safety of persons and property, and provide emergency assistance to the victims of such disaster, and such powers shall be exercised in the light of the exigencies of the situation without regard to time-consuming procedures and formalities prescribed by ordinance (excepting mandatory constitutional requirements),

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including, but not limited to, budget law limitations and requirements of competitive bidding..., provided that the Mayor shall, wherever practicable, advise and consult with the Town Council with respect to disaster response activities, and any such order shall at the earliest practicable time be presented to the Town Council for review and appropriate legislation...; and

**WHEREAS**, pursuant to the executive order of a municipal emergency initially issued by the Mayor on April 5, 2020, and § 2.14 of the Town Code, during the existence of the present declared emergency, purchases of supplies, materials and equipment less than \$10,000 in consideration are authorized to be made in accordance with Section 20.4 of the Town Ordinance Code, without the consent of at least two other councilmembers that would typically be required during an undeclared emergency, provided that a log of all purchases made during any emergency is maintained, an account for all costs incurred in making such purchase is made, and upon termination of the emergency, the Treasurer shall report all emergency purchases and shall verify such orders, and submit a summary of said purchases to the Mayor and Council for review; and

**WHEREAS**, the Chief of Police has verified that Jimmy Cox Sales, Inc., is an authorized dealer for utility/cargo trailers, and has sold trailers to Prince George's County and the Maryland-National Capital Park Police, and is in good standing with the State of Maryland; and

**WHEREAS**, the Town Council finds that the above-mentioned purchase and payment therefore are warranted and authorized for a purchase price of **\$3,175.00** allocated from line item 7330; and

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Town Council of the Town of Forest Heights hereby ratifies and approves the Trailer Bill of Sale/Agreement between Jimmy Cox Sales, Inc. and the Town, indicating the trailer's vehicle identification number (VIN), which hereby consents to the Mayor or her designee in signing the agreement on behalf of the Town, which is attached hereto and incorporate by reference herein as Exhibit A; and

**BE IT FURTHER RESOLVED** that the Chief of Police is responsible for obtaining the necessary registration, title, and obtaining license plates in this State for the new trailer; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon passage.

PASSED this 20 day of May 2020.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

Absent

KENNEDY II

Yea

NOBLE

Yea

BARNES

Yea

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HINES

WASHINGTON

ATKINSON

Yea  
Yea  
Absent

ATTEST:

THE TOWN OF FOREST HEIGHTS

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

**SIGNATURE ON FILE**

Habeeb-Ullah Muhammad, Mayor

**SIGNATURE ON FILE**

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 20 day of May 2020 with 5 Aye votes and 0 Nay vote the aforesaid Resolution 25-20 passed.

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

Exhibit A (Letter of Agreement/Bill of Sale)